



# Lowell City Council

## *Regular Meeting Minutes*

Michael Q. Geary  
City Clerk

**Date:** May 9, 2017

**Time:** 6:30 PM

**Location:** City Council Chamber, 375 Merrimack Street, 2nd Floor, Lowell, MA

### 1. ROLL CALL

Roll Call showed 7 present, 2 absent (C. Leahy, M. Kennedy).

Vice Chair Rourke presiding.

C. Milinazzo requested moment of silence in darkened chamber for Charles “Charlie” Lefebvre.

C. Mercier requested moment of silence in darkened chamber for John “Jack Farrell, Jr.

Vice Chair Rourke noted veterans’ ceremony held in Mayor’s Reception Room recognizing the following with the Walter Bayliss Award for veteran of the month: Francis Hovey; Robert and Joe McMahon; Veterans of the LPD; and Veterans of the LFD.

### 2. CITY CLERK

**2.1. Minutes of Joint Neighborhoods/Flood Issues SC May 1st; Finance SC May 2nd; Zoning SC May 2nd; City Council Meeting May 2nd, for acceptance.**

In City Council, minutes read, **Motion** “To accept and place on file” by C. Elliott, seconded by C. Belanger. So voted.

### 3. COMMUNICATIONS FROM CITY MANAGER

#### 3.1. Motion Responses.

In City Council, read, **Motion** “To accept and place on file” by C. Milinazzo, seconded by C. Mercier. So voted.

**A) JFK Plaza Improvements** – C. Belanger noted the progress on project.

**B) Dedication of a Park Bench in Memory of Cole Kinney** - No comments.



**C) Status of Property at 51 Wedge Street** - No comments.

**D) Status of Repairs at 138 and 200 Cross Street** - No comments.

**E) Public Records Request Inspections and Hazardous Abatement at LHS.** - No comments.

**F) Newbury and Fleming Street Stop Signs** – C. Leary spoke to improvements at intersection.

**G) Summer Special Events** – C. Belanger noted work of CASE and the amount of events in the City.

### **3.1.1. Informational**

**H) Informational - FY18 Capital Plan Presentation** – Manager Murphy made presentation entitled “FY 2018 Capital Plan” noting that there would be a May 30<sup>th</sup> public hearing on the funding. Manager Murphy commented on the amount of money and how it would be distributed to Infrastructure; Public Safety; Community Maintenance/Development; and Department Vehicles. C. Elliott commented on investments needed as well as school repairs. Rodney Conley (Asst. CFO) noted that improvements are slated for middle schools and not high school at this juncture. C. Elliott commented on washing machine at LFD. Mr. Conley noted that was payment for six machines. Manager Murphy noted the need to maintain turn-out gear of LFD properly. C. Leary commented on grant money for the South Common. Conor Baldwin (CFO) noted funds would supplement the grants obtained for South Common. C. Leary noted the importance of updating maintenance effort by City and School Department to be more efficient. C. Milinazzo commented on the Lowell Memorial Auditorium updates. Mr. Baldwin noted that updates would ensure ADA compliance for bathrooms. VC Rourke questioned if field at South Common would be updated with funding and that the field needed seeding. Mr. Conley noted money would be going towards lighting in the area.

### **3.2. Communication - City Mgr. request Out of State Travel (1) LFD.**

In Council, **Motion** to adopt by C. Milinazzo, seconded by C. Mercier. Adopted per Roll Call vote 7 yeas, 2 absent (C. Leahy, M. Kennedy). So voted.



#### **4. VOTES FROM THE CITY MANAGER**

##### **4.1. Vote-Apply.Accept.Expend Grant 15,015.00 (Mass Attorney General's Office) Rec Dept.**

In City Council, Read twice, full reading waived with no objections, **Motion** to adopt by C. Elliott, seconded by C. Mercier. Adopted per Roll Call vote 7 yeas, 2 absent (C. Leahy, M. Kennedy). So voted.

##### **4.2. Vote-Authorize City Manager Accept Proposal of David Foss (51,000) and convey 682 Lawrence St.**

In City Council, Read twice, full reading waived with no objections, **Motion** to adopt by C. Leahy, seconded by C. Mercier. Adopted per Roll Call vote 7 yeas, 2 absent (C. Leahy, M. Kennedy). So voted. C. Mercier noted that it was the correct result for the situation.

##### **4.3. Vote-Rescind prior vote re 700 Varnum and declare surplus 700 Varnum, 129, 131 Townsend Ave, 71, 84, 92, 112 Shirley Ave, 74, 79 Melrose Ave (min bid 700K).**

In City Council, Read twice, full reading waived with no objections, **Motion** to adopt by C. Leahy, seconded by C. Milinazzo. Adopted per Roll Call vote 7 yeas, 2 absent (C. Leahy, M. Kennedy). So voted.

#### **5. ORDERS FROM THE CITY MANAGER**

##### **5.1. Loan Order-11,077,544.00 2018 Capital Improvements.**

In City Council, Given 1<sup>st</sup> Reading, Motion to refer to Public Hearing on May 30, 2017 at 7 PM by C. Mercier, seconded by C. Samaras. So voted.

#### **6. ORDINANCES FROM THE CITY MANAGER**

##### **6.1. Ordinance-Amend Zoning (various changes).**

In City Council, Given 1<sup>st</sup> Reading, Motion to refer to Zoning SC for further review by C. Milinazzo, seconded by C. Elliott. So voted.

#### **7. REPORTS (SUB/COMMITTEE, IF ANY)**

##### **7.1. Zoning SC May 2, 2017; and Youth Services SC May 9, 2017.**

**Zoning SC May 2, 2017.** – C. Milinazzo reported on meeting noting attendance and discussion of changes to proposed ordinance and the number of meetings that were called regarding matter. C. Milinazzo noted two provisions of proposal have been



accepted and recognized city departments for their efforts in this endeavor. **Motion** to accept the report as a report of progress by C. Mercier, seconded by C. Leary. So voted.

**Youth Services SC May 9, 2017.** - C. Belanger noted attendance and commented on discussion involving summer jobs programs in the City for the youth. **Motion** to accept the report as a report of progress by C. Mercier, seconded by C. Leary. So voted.

## **8. PETITIONS**

### **8.1. Misc. - Generation Citizen Project (Lowell High School Students) request permission to address City Council regarding Lucy Larcom Beautification Project.**

In Council, **Motion** to refer to City Manager for review C. Elliott, seconded by C. Belanger. So voted. Three student/petitioners addressed Council regarding project. C. Mercier recognized the petitioners and their efforts. C. Elliott noted the use of barrels in the park. Manager Murphy noted he would work with group before Historic Board. C. Belanger recognized the group for the various projects they have started.

### **8.2. Misc. - Armand Hebert request permission to address Council regarding harassment in the City.**

In Council, **Motion** to refer to City Manager for review C. Mercier, seconded by C. Leary. So voted. Mr. Hebert addressed Council regarding harassment.

### **8.3. Misc. - Marty Tighe request permission to address Council regarding time frame of LHS site decision.**

In Council, **Motion** to refer to City Manager for review C. Leary, seconded by C. Mercier. So voted. Mr. Tighe addressed Council regarding time frame. C. Belanger requested Item #9.3 be taken out of order with no objection. So voted.

### **8.4. Misc. - Kristie Faletra request permission to address Council regarding potential harmful conditions of a high school renovation.**

In Council, **Motion** to refer to City Manager for review C. Elliott, seconded by C. Leary. So voted. Ms. Faletra addressed Council regarding conditions. Registered speaker, Laura Ortiz, addressed the Council for this item and Item #8.5 as well.



**8.5. Misc. - Paul Haley request permission to address Council regarding last week's Board of Health meeting.**

In Council, **Motion** to refer to City Manager for review C. Elliott, seconded by C. Mercier. So voted. Mr. Haley addressed Council regarding meeting and results. Registered speaker, Joanne Keegan (Chair, Board of Health) addressed the Council regarding meeting and actions of the Board.

**8.6. Misc. - Anthony Faletra request permission to address Council regarding effect of LHS location on future in City.**

In Council, **Motion** to refer to City Manager for review C. Belanger, seconded by C. Elliott. So voted. Mr. Faletra addressed Council regarding location.

**8.7. Misc. - TJ McKiernan request permission to address Council regarding future viability of LHS being option for children.**

In Council, **Motion** to refer to City Manager for review C. Elliott, seconded by C. Leary. So voted. Mr. McKiernan addressed Council regarding high school project. C. Elliott noted that LTC should cover all of the forums that are being done regarding this project.

**8.8. National Grid/Verizon NE - Request installation of 1 new JO pole located at 174 Jewett Street.**

In City Council, Given 1<sup>st</sup> Reading, Motion to refer to Public Hearing on May 23, 2017 at 7 PM by C. Leary, seconded by C. Samaras. So voted.

**8.9. Verizon NE - Request installation of underground conduit at Market and Hanover Streets.**

In City Council, Given 1<sup>st</sup> Reading, Motion to refer to Public Hearing on May 23, 2017 at 7 PM by C. Belanger, seconded by C. Elliott. So voted.

**9. CITY COUNCIL - MOTIONS**

**9.1. C. Samaras - Req. City Mgr. update City Council concerning negotiations with Gervais Volkswagen regarding bike trail.**

In City Council, seconded by C. Milinazzo, referred to City Manager. So voted. C. Samaras noted need to continue discussions on the matter.



**9.2. C. Samaras/C. Belanger - Req. City Mgr. update City Council regarding lighting in downtown.**

In City Council, no second needed, referred to City Manager. So voted. C. Belanger noted it was part of proposed Capital Plan. C. Samaras requested time line as there are areas in the downtown which are darker than they should be.

**9.3. C. Belanger - Req. City Mgr. provide all information to City Council needed to make a decision regarding the Lowell High School Project at least 14 days prior to any such vote.**

In City Council, seconded by C. Milinazzo, referred to City Manager. Adopted per Roll Call vote 7 yeas, 2 absent (C. Leahy, M. Kennedy). So voted. C. Belanger noted remarks of Mr. Tighe and commented on the need for information so that all may rally around any decision made. Manager Murphy noted environmental reports are complete and will be distributed and that traffic reports are near completion as well. C. Belanger noted the need to make an informed decision so it would be necessary to get all information in an appropriate time frame before such a decision is made. C. Samaras noted the need for enhanced involvement by the administration to distribute the information at this time and that the information needs to be complete and accurate. C. Samaras noted need to reach out to all communities when information is complete. C. Elliott noted the number of meetings being held and questioned timing of receipt of information. C. Elliott commented on information that the State would not require like certain infrastructure and bussing costs. Manager Murphy noted the MSBA standards and further noted request to School Department regarding bussing. Manager Murphy outlined meeting schedule for project. C. Leary commented on target date for information to be provided to the Council. Mr. Conley reviewed dates scheduled. C. Leary noted the need for information to be televised as all may not be able to attend meetings. C. Milinazzo noted tight schedule for information and questioned procedure after Council vote including time frame for funding vote. Mr. Conley noted loan order would be addressed late Spring of 2018. Vice Chair Rourke questioned meetings and votes before final vote including vote for eminent domain if needed. Vice Chair Rourke questioned status of Article 97 petition. Manager Murphy noted upcoming meeting with State agency regarding petition. C. Mercier questioned status of replication of fields and commented on unforeseen costs of any project. Manager Murphy noted that there are contingencies built into project budget for such costs. C. Milinazzo recognized that a contingency item is within project budget. C. Leary noted there needs to be a plan if costs go beyond contingencies. Manager Murphy reviewed and outlined meetings scheduled moving forward with process.



**9.4. C. Belanger/C. Elliott - Req. City Mgr. updated Council regarding hazardous waste day in the City.**

In City Council, no second needed, referred to City Manager. So voted. C. Elliott commented on process and dates. C. Belanger noted the importance of the service.

**9.5. C. Mercier - Req. City Mgr. find ways and means to install a handball court at the North Common and when completed dedicate it to the memory of Luis S. Espinoza as follows: "Luis S. Espinoza Handball Court".**

In City Council, seconded by C. Milinazzo, referred to City Manager. Adopted per Roll Call vote 7 yeas, 2 absent (C. Leahy, M. Kennedy). So voted. C. Mercier commented on Mr. Espinoza and noted that the court just needs to be refurbished.

**Motion** to bundle and second the remaining motion items by C. Milinazzo, seconded by C. Leary. So voted.

**9.6. C. Rourke - Req. City Mgr. have Law Department draft ordinance to regulate local "Pub Crawls"; which would include public safety measures.**

In City Council, seconded by C. Leary, referred to City Manager.

**9.7. C. Leahy - Req. City Mgr. have DPW look at corner of Draper Street and Glenellyn Road to clean-up wooded lot in the area.**

In City Council, seconded by C. Leary, referred to City Manager.

**9.8. C. Leahy - Req. City Mgr. work with DPD on a plan for Merrimack Street and report back to the Council.**

In City Council, seconded by C. Leary, referred to City Manager.

**9.9. C. Leahy - Req. City Mgr. ask Verizon when double poles on Viola Street will be removed.**

In City Council, seconded by C. Leary, referred to City Manager.

**9.10. C. Leahy - Req. City Mgr. work with the Police Dept. to enforce no parking on sidewalks.**

In City Council, seconded by C. Leary, referred to City Manager.





**9.11. M. Kennedy - Req. City Mgr. have the Traffic Engineer re-examine the intersection of High and Rogers Street for possible installation of a 4-way stop sign.**

In City Council, seconded by C. Leary, referred to City Manager.

## **10. ANNOUNCEMENTS**

In City Council C. Mercier noted Veterans Memorial Day Breakfast; Bill's Barber Shop opioid awareness open house; and Meaghan's House fundraiser.

## **11. ADJOURNMENT**

In City Council, **Motion** to Adjourn by C. Milinazzo, seconded by C. Leary. So voted.

Meeting adjourned at 8:35 PM.

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Michael Geary, City Clerk